

**Court of Appeals, State of Michigan**

**ORDER**

**Carl Hendon v Department of Corrections**

Docket No. **326434**

LC No. **14-001448-AA**

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Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.211(E)(2), orders:

The motion for reconsideration is GRANTED, and the March 31, 2015 order is VACATED. The motion to waive fees pursuant to MCR 7.202(4) and MCR 7.205(B)(7) is DENIED because MCL 600.2963 mandates that a prisoner pursuing a civil action be liable for the filing fees.

Within 21 days of the certification of this order, appellant shall pay to the Clerk of the Court the initial partial filing fee of \$1 and shall submit a copy of this order with the payment. MCL 600.2963(7). If appellant timely files the partial fee, appellant may not file another new civil appeal or original action in this Court until such time that either the Department of Corrections remits or appellant pays the entire outstanding balance due. MCL 600.2963(8). Failure to comply with this order shall result in the appeal not being filed in this Court and appellant not being responsible for paying the filing fee.

If appellant timely files the partial fee, monthly payments shall be made to the Department of Corrections in an amount of 50 percent of the deposits made to appellant's account until the payments equal the balance due of \$374. This amount shall then be remitted to this Court. Again, appellant may not file either a new civil appeal or an original action until appellant pays the entire outstanding balance due. MCL 600.2963(8).

The Clerk of this Court shall furnish two copies of this order to appellant.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

APR 24 2015

Date

Chief Clerk